

PTO/SB/30 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/576,928
Filing Date	May 23, 2000
First Named Inventor	HIROSHI TANIOKA, et al.
Group Art Unit	2624
Examiner Name	T. Lee
Attorney Docket Number	00862.021913.

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1239 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition To Withdraw Application From Issue

2. Miscellaneous


- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other \$ 130.00 fee under 1.17(h) for Petition To Withdraw Application From Issue
- b. ☐ Checks in the amounts of \$ _____ are enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Edward A. Kmett	Registration No. (Attorney/Agent)	42,746
Signature		Date	July 29, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as: first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

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Date 07.30.04
Mo Day Yr
00862-021913
Atty. Docket

Appln. No. 09/578,728

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Specifications, claims and abstract _____ pages, with Transmittal Form
☐ Patent Application Bibliographic Data Sheet _____ sheets
☐ Executed Oath or Declaration and Power of Attorney
☐ _____ Sheets of _____ formal _____ informal drawings
☐ Check for \$ _____ (filing fee)
☒ Request for Continued Examination and Check for \$ 770.-
☐ Assignment, PTO-1595 and Check for \$ _____
☐ Transmitted Under 37 CFR 1.53(d), (CPA)
☒ Filed under 37 CFR 1.313 ^{(e)(2)} and check for \$ 130.- *change to deposit*
☒ Other (specify) IDS: 1449; Jap OA; 6 refs
by placing your receiving date stamp hereon and mailing or returning to deliver:
This is a ☒ Continuation ☐ Divisional ☐ Continuation-In-Part
Atty. EAK/wh Due Date N.D.D
Mo Day Yr
37 CFR 1.8 ☐
37 CFR 1.10 ☐
By Hand ☒

